

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Luckey Farmers, Inc.,

Case No. 3:23-cv-927

Plaintiff,

v.

ORDER

Maple Row Farms, LLC,

Defendant.

On May 5, 2023, Defendant Maple Row Farms, LLC removed this action from the Sandusky County, Ohio Court of Common Pleas, asserting this court has original diversity jurisdiction over the matter. (Doc. No. 1).

For a district court to have original diversity jurisdiction over a case, complete diversity must exist between the parties to the dispute. 28 U.S.C. § 1332(a). To satisfy the diversity jurisdiction requirements, the dispute must be between citizens of different states. 28 U.S.C. § 1332(a)(1). “[A] limited liability company has the citizenship of each of its members.” *Delay v. Rosenthal Collins Grp., LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009). Accordingly, “[w]hen diversity jurisdiction is invoked in a case in which a limited liability company is a party, the court needs to know the citizenship of each member of the company. And because a member of a limited liability company may itself have multiple members—and thus may itself have multiple citizenships—the federal court needs to know the citizenship of each ‘sub-member’ as well.” *Id.*

Defendant has not satisfied this well-settled precedent. In the Notice of Removal, Defendant states it “is a Michigan Corporation.” (Doc. No. 1 at 2). But according to the website of

the Michigan Department of Licensing and Regulatory Affairs, Maple Row Farms, LLC is not a corporation. Instead, as its name suggests, it is an LLC. Therefore, Defendant's citizenship is determined by the citizenship of each of its members and sub-members. Because Defendant has not provided this information, I cannot conclude diversity jurisdiction was properly invoked. *See Delay*, 585 F.3d at 1005.

To maintain this action in federal court, *see* 28 U.S.C. § 1447(c), Defendant must supplement its Notice of Removal by filing an affidavit of jurisdiction on or before May 19, 2023. In the affidavit, Defendant shall identify each of its members and sub-members, if applicable. This "must be traced through however many layers of partners or members there may be." *Meyerson v. Harrah's E. Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002). For each member and sub-member, Defendant shall state jurisdictional allegations sufficient for me to determine the citizenship of that member (e.g., the domicile of individuals, the place of incorporation and principal place of business of corporations).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge